

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
NORTHERN DIVISION

STATE OF SOUTH DAKOTA)

: ss.

COUNTY OF BROWN)

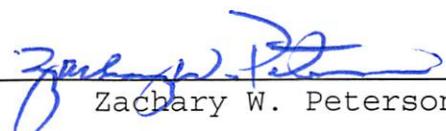
Zachary W. Peterson, being first duly sworn, on oath,
deposes and states as follows:

1. I am one of the attorneys representing the defendants in the above-captioned case, and I make this affidavit upon my personal information and knowledge.

2. Attached hereto and submitted in support of Defendants' Motion for Summary Judgment are the following Exhibits:

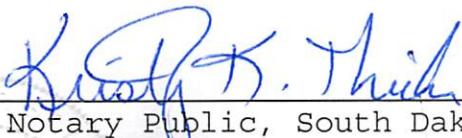
- A. Cited portions of the transcript of the deposition of Heath Thompson, taken on February 17, 2016.
- B. Cited portions of the transcript of the deposition of Jeff Deville, taken on February 16, 2016.
- C. Cited portions of the transcript of the deposition of Steve Lehner, taken on February 16, 2016.

- D. Cited portions of the transcript of the deposition of Darwin Mack, taken on February 16, 2016.
- E. Cited portions of the transcript of the deposition of Darin Schriever, taken on June 29, 2016.
- F. DGR Engineering Report, dated February 5, 2016 (Darin Schriever, Deposition Exhibit 4).
- G. Documents produced by plaintiff in discovery labeled SIOUX 121-127, SIOUX 141-142, SIOUX 429-434, SIOUX 546, and SIOUX 570.



Zachary W. Peterson

Subscribed and sworn to before
me this 7th day of November, 2016.



Kristy K. Thiel
Notary Public, South Dakota

My Commission Expires: 3/16/2021